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In the United States Patent and Trademark Office

Date: November 26, 2004

Serial Nbr: 09/930,325

In re Application of: Ulises J. Cicciarelli et al.

Filed: August 15, 2001

For: Run-Time Rule-Based Topological Installation Suite

Art Unit: 2124

Examiner: Tuan A. Vu

Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over Pending Second Application

The owner, International Business Machines Corporation, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/930,359, filed on 08/15/2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge Account 09-0461 the sum of \$110.00. A duplicate of this disclaimer is attached.

Respectfully submitted,

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